

APR 16 2008

<b>FACSIMILE TRANSMITTAL FORM</b>	Application Number	10/555345
	Confirmation Number	
	Filing Date	November 1, 2004
	First Named Inventor	Barshis, David
	Examiner Name	
Fax: 571-273-8300	Attorney Docket Number	63365US008
Total Number of Pages in This Submission: <b>6</b>		
Date: April 16, 2008	Attorney for Applicant: Nancy M. Lambert/JAK	

<b>ENCLOSURES (check all that apply)</b>		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Amendment Transmittal	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s)	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Appeal Communication to Technology Center (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosures:
<input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR § 1.52 or 1.53 <input checked="" type="checkbox"/> Response to Missing Parts under 35 USC 371 in US Designated/ Elected Office (DO/EO/US)	<input type="checkbox"/> Request for Refund	
	<input type="checkbox"/> Request for Continued Examination (RCE) Transmittal	
<input type="checkbox"/> Drawings	<input type="checkbox"/> After Allowance Communication to Technology Center	
<b>REMARKS:</b>		

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32692

Customer Number

Patent  
Case No.: 63365US008

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: DAVID BARSHIS  
Application No.: 10/555345 Confirmation No.:  
International PCT/2004/036362 International November 1, 2004  
Application No.: Filing Date:  
Title: METHOD OF REDUCING NOSOCOMIAL INFECTIONS

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 USC § 371 IN  
THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR § 1.8(a)]

I hereby certify that this correspondence is being:

☒ transmitted by facsimile on the date shown below to the United States Patent and  
Trademark Office at 571-273-8300.

April 16, 2008

Date

Signed by: Judy Knutson

Dear Sir:

This is in response to the Notification of Missing Requirements Under 35 USC § 371 in  
the United States Designated/Elected Office (DO/EO/US).

The Notification indicates that the oath or declaration is missing. Therefore, enclosed is  
an executed Declaration for the above-identified application.

Fees

- ☐ Any required fee will be made at the time of submission via EFS-Web. In the event fees are  
not or cannot be paid at the time of EFS-Web submission, please charge any fees under  
37 CFR § 1.16(f) which may be required to Deposit Account No. 13-3723.
- ☒ Please charge any fees under 37 CFR §§ 1.16(f) and 1.17 which may be required to Deposit  
Account No. 13-3723. (One copy of this sheet marked duplicate is enclosed.)
- ☒ Please charge any additional fees associated with the prosecution of this application to Deposit  
Account No. 13-3723. This authorization includes the fee for any necessary extension of time  
under 37 CFR § 1.136(a). To the extent any such extension should become necessary, it is  
hereby requested.
- ☒ Please credit any overpayment to the same deposit account.

Respectfully submitted,

Date

April 16, 2008

By:

Nancy M. Lambert

Nancy M. Lambert, Reg. No.: 44,856  
Telephone No.: 651-733-2180

Office of Intellectual Property Counsel  
3M Innovative Properties Company  
Facsimile No.: 651-736-3833

04/25/2008 LLANDGRA 00000063 133723 10555345

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/555,345	David Barshis	65793-7009

32692  
3M INNOVATIVE PROPERTIES COMPANY  
PO BOX 33427  
ST. PAUL, MN 55133-3427Office of International Affairs  
3M Innovative Properties Company

INTERNATIONAL APPLICATION NO.

PCT/US0204/036362

I.A. FILING DATE

PRIORITY DATE

11/01/2004

CONFIRMATION NO. 4521  
371 FORMALITIES LETTER

FEB 26 2008



0C000000028458736

Date Mailed: 02/26/2008

Referred to  
**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371  
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Copy of the International Application filed on 10/31/2005
- Copy of the International Search Report filed on 10/31/2005
- Copy of Article 19 Amendments filed on 10/31/2005
- Information Disclosure Statements filed on 10/31/2005
- Oath or Declaration filed on 10/31/2005
- Request for Immediate Examination filed on 10/31/2005
- U.S. Basic National Fees filed on 10/31/2005
- Assignment filed on 10/31/2005
- Power of Attorney filed on 07/10/2005
- Specification filed on 10/31/2005
- Claims filed on 10/31/2005
- Abstracts filed on 10/31/2005
- Drawings filed on 10/31/2005

DUE DATE(S) 04/26/08  
ATTORNEY NML  
DOCKETED me

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

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FORM PCT/DO/EO/905 (371 Formalities Notice)

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**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

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VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225